

AO 257 (Rev. 6/78)

*Amended Penalty Sheet***DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☒ SUPERSEDING**OFFENSE CHARGED**18 U.S.C. § 1962(d) (Count 1);
18 U.S.C. § 1959(a)(5) (Counts 2, 6, 7);
18 U.S.C. § 1959(a)(1) (Count 3);
18 U.S.C. § 1959(a)(3) (Counts 8 and 9);
18 U.S.C. § 924(c) (Counts 4, 10); and
18 U.S.C. § 924(j) (Count 5)☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: See attached.

Plus: forfeiture allegations included in indictment and possible immigration consequences.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**DEFENDANT - U.S.**

KRISTOPHER PURCELL aka "K-DAWG"

DISTRICT COURT NUMBER
5:18-CR-506-BLF**FILED**
DEC 17 2018
CLERK SUSAN Y. SOONG
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☒ On this charge
- 5) ☐ On another conviction } ☐ Federal ☐ State
- 6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST
Month/Day/Year
10/12/2018

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY
Month/Day/Year☒ This report amends AO 257 previously submitted**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

Federal Bureau of Investigation, Special Agent Brian Walsh

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrp 20, 21, or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☒ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

Name and Office of Person

Furnishing Information on this form ALEX G. TSE

☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) AUSA GRIFFIN

ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**☐ SUMMONS ☒ NO PROCESS* ☐ WARRANT

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

Bail Amount:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: Before Judge:

Comments:

Count 7: 18 U.S.C. § 1959(a)(5) – Attempted Murder in Aid of Racketeering of Victim-3

Maximum term of 10 years' imprisonment
Maximum term of 3 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 8: 18 U.S.C. § 1959(a)(3) – Assault With a Dangerous Weapon in Aid of Racketeering of Victim-2

Maximum term of 20 years' imprisonment
Maximum term of 3 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 9: 18 U.S.C. § 1959(a)(3) – Assault With a Dangerous Weapon in Aid of Racketeering of Victim-3

Maximum term of 20 years' imprisonment
Maximum term of 3 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 10: 18 U.S.C. § 924(c)(1)(A) – Use/Possession of a Firearm in Furtherance of or During and in Relation to Crime of Violence

Mandatory consecutive term of imprisonment of not less than 25 years imprisonment and a maximum term of life imprisonment
Maximum term of 5 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

KRISTOPHER PURCELL aka "K-DAWG"

Count 1: 18 U.S.C. § 1962(d) – Racketeering Conspiracy

Maximum term of life imprisonment
Maximum term of 5 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 2: 18 U.S.C. § 1959(a)(5) – Conspiracy to Murder in Aid of Racketeering

Maximum term of 10 years' imprisonment
Maximum term of 3 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 3: 18 U.S.C. § 1959(a)(1) – Murder in Aid of Racketeering of Victim-1

Death or Maximum of Life Imprisonment
Mandatory Minimum of Life Imprisonment
Maximum Fine of \$250,000
Maximum Term of Supervised Release of 5 years
Mandatory Special Assessment of \$100

Count 4: 18 U.S.C. § 924(c)(1)(A) – Use/Possession of a Firearm in Furtherance of or During and in Relation to Crime of Violence

Mandatory consecutive term of imprisonment of not less than 10 years imprisonment (as charged) and a maximum term of life imprisonment
Maximum term of 5 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100

Count 5: 18 U.S.C. § 924(j)(1) – Use of a Firearm Causing Murder

Death or Maximum of Life Imprisonment
Maximum Fine of \$250,000
Maximum Term of Supervised Release of 5 years
Mandatory Special Assessment of \$100

Count 6: 18 U.S.C. § 1959(a)(5) – Attempted Murder in Aid of Racketeering of Victim-2

Maximum term of 10 years' imprisonment
Maximum term of 3 years of supervised release
Maximum fine of \$250,000
Mandatory special assessment of \$100